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2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Implementation of the 1995 resolution concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East

Working paper submitted by the Libyan Arab Jamahiriya

1. The Libyan Arab Jamahiriya affirms the utmost importance of the resolution concerning the establishment of a nuclear-weapon-free zone in the region of the Middle East that was adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. That resolution is organically and legally linked to that Treaty, in that its adoption was part of a package whereby it was agreed to indefinitely extend the Treaty. It is troubling that no serious attempt has been made to implement that resolution in the 15 years since it was adopted. At stake is the credibility of the international community and, in particular, the Depositary States who adopted the resolution at the time.

2. The Libyan Arab Jamahiriya affirms that swift implementation of the resolution and establishment of a nuclear-weapon-free zone in the region of the Middle East will have a decisive impact on maintaining security and stability in the region and the world, and represents the only practical means of ensuring the non-proliferation of nuclear weapons in the Middle East. If the goal is to be achieved, a non-selective and unbiased international course will have to be adopted, together with a comprehensive regional approach that will guarantee security for all parties in the region.

3. Security and stability in the Middle East will not be achieved as long as Israel possesses nuclear weapons. On 11 December 2006, the Prime Minister of Israel admitted that his country possesses nuclear weapons. Israel is the only State in the Middle East that has neither acceded to nor announced its intention to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). With a view to the establishment of a nuclear-weapon-free zone in the region of the Middle East, the international community and its institutions and, in particular, the Depositary States are demanding that pressure should be brought to bear on Israel to accede to the Treaty without delay as a non-nuclear-weapon Party, place all its nuclear facilities and activities under the International Atomic Energy Agency (IAEA) Comprehensive Safeguards System, and renounce its nuclear weapons in accordance with United Nations Security Council resolution 487 (1981). It is therefore essential that practical steps should be taken at the 2010 Review Conference of the Parties to

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the Treaty on the Non-Proliferation of Nuclear Weapons towards the implementation of the resolution on the Middle East that was adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. At that Conference, the following goals were agreed:

- To reinforce non-proliferation;
- To achieve universal adherence to NPT;
- To establish a nuclear-weapon-free zone in the Middle East.

4. It was affirmed at the 2000 NPT Review Conference that the resolution on the Middle East that was adopted at the 1995 Review and Extension Conference remains valid until the goals and objectives are achieved. The resolution was an essential element of the basis on which NPT had been indefinitely extended in 1995. Nevertheless, the Israelis continue to defy the international community by not acceding to NPT and refusing to place all their nuclear facilities under the IAEA Comprehensive Safeguards System. That is a source of the most serious concern and has a negative impact on regional and international peace and security. The Libyan Arab Jamahiriya recalls that in recent years the United Nations General Assembly has repeatedly adopted by consensus a resolution calling for the establishment of a nuclear-weapon-free zone in the region of the Middle East and has continued to support the resolution entitled "The risk of nuclear proliferation in the Middle East". At its sixty-fourth session, that resolution (A/RES/64/66) was adopted by an overwhelming majority. In it, the General Assembly expressed concern about the threats posed by the proliferation of nuclear weapons to the security and stability of the Middle East region, noted that Israel remains the only State in the Middle East that has not yet become party to NPT, and reaffirmed the importance of placement of all Israeli nuclear facilities under comprehensive IAEA safeguards.

5. Each nuclear-weapon State Party to NPT must honour its undertaking not in any way to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices. That undertaking cannot be fulfilled when certain nuclear-weapon States ignore their obligations under the Treaty and flout all the relevant international resolutions and legislation by continuing to export nuclear technology to Israel, thereby reinforcing its nuclear arsenal. While that remains the case, the embargo on the export of such technology to other States in the region of the Middle East should be lifted.

6. The Libyan Arab Jamahiriya demands that the international community should seize the opportunity afforded by the convening of the 2010 Review Conference of the Parties to NPT and take practical measures towards the establishment of the nuclear-weapon-free zone in the region of the Middle East, by means of the following:

- Inviting the international community to pledge to implement the resolution on the Middle East that was adopted at the 1995 Review Conference and adopt an effective mechanism for application; inviting the United Nations to hold an international conference dedicated to the subject of the establishment of a nuclear-weapon-free zone in the region of the Middle East, in preparation for making that region completely free of all such weapons.

- Inducing the Israeli to accede unconditionally to NPT as a Non-nuclear-weapon Party, place all their nuclear installations and facilities under the IAEA Comprehensive Safeguards System.
- Obtaining assurances from nuclear-weapon States that they will make a formal commitment to honour the undertaking given pursuant to article I of the Treaty not in any way to transfer to Israel nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices and not in any way to assist, encourage or induce Israel to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices. States Parties should also undertake to abide by their commitments, under paragraph 2 of article III and article IV, not to transfer to Israel any equipment, materials and information related to the nuclear field or provide it with assistance in the field of the peaceful uses of nuclear energy, unless it has acceded to NPT and placed its nuclear installations and facilities under the IAEA Comprehensive Safeguards System.
- Establishing a standing subsidiary body of Main Committee II in the framework of the 2010 Review Conference to follow up the implementation of the recommendations concerning the resolution on the Middle East and to report to the 2015 Review Conference with conclusions and actions are identified to reach the nuclear weapons abandonment by Israel.

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